

AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Western District of New York

Donald Montgomery,  
as an individual, and on behalf of  
all other persons similarly situated,

\_\_\_\_\_  
*Plaintiff(s)*

v.

Andrew M. Cuomo, Governor of the State of New  
York; Ann Marie T. Sullivan, Commissioner of the  
New York State Office of Mental Health; Michael C.  
Green, Executive ... (continued on attached)

\_\_\_\_\_  
*Defendant(s)*

Civil Action No. 14-CV-6709

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Andrew M. Cuomo, Governor of the State of New York  
NYS Capitol Building  
Albany, New York 12224

Ann Marie T. Sullivan, Commissioner of the New York State Office of Mental Health  
44 Holland Avenue ... (continued on attached)

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Paloma A. Capanna, Attorney  
633 Lake Road  
Webster, New York 14580  
(585) 377-7260

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 12/19/2014



CLERK OF COURT

*Michael J. Roemer*

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

**Attachment to Summons for Plaintiff Donald Montgomery**

The complete list of Defendants:

ANDREW M. CUOMO, Governor of the State of New York;

ANN MARIE T. SULLIVAN, Commissioner of the New York State  
Office of Mental Health;

MICHAEL C. GREEN, Executive Deputy Commissioner of the  
New York State Division of Criminal Justice Services;

JOSEPH A. D'AMICO, Superintendent of the New York State Police;

VINCENT F. DEMARCO, Suffolk County Sheriff's Department; and,

EASTERN LONG ISLAND HOSPITAL

Complete list of Defendants' names and addresses:

**Gov. Andrew Cuomo**  
NYS Capitol Building  
Albany, New York 12224

**Office of Mental Health**  
Attn.: Ann Marie T. Sullivan, Commissioner  
44 Holland Avenue  
Albany, New York 12229

**Department of Criminal Justice Services**  
Attn.: Michael C. Greene, Commissioner  
Alfred E. Smith Building  
80 South Swan Street  
Albany, New York 12210

**New York State Police**

Attn.: Joseph A. D'Amico, Superintendent  
1220 Washington Avenue  
Building 22  
Albany, New York 12226-2252

**Suffolk County Sheriff's Department**

Attn.: Vincent F. DeMarco  
100 Center Drive  
Riverhead, New York 11901

**Eastern Long Island Hospital**

201 Manor Place  
Greenport, New York 11944